

Appl. No. 10/037,829

Reply to Office Action of March 31, 2005

REMARKS

Claims 1-8, 10, and 12-21 are pending in the application, with claims 1 and 15 being independent claims. Claims 1, 15 and 19 have been amended. Claim 9 has been cancelled.

I. Claim Rejection Under 35 U.S.C. § 103

In the Final Office Action, the Examiner rejected claims 1-10 and 12-21 under 35 U.S.C. Sec. 103(a) as unpatentable over U.S. Patent No. 5,619,036, issued April 8, 1997 to Salvio et al. (hereinafter "Salvio") in view of U.S. Patent Publication 2002/0067413, filed December 4, 2000 by McNamara (hereinafter "McNamara"). This rejection is respectfully traversed.

For a claim to be properly rejected for obviousness, the Examiner must show that the subject matter sought to be patented would have been obvious to one of ordinary skill in the art at the time the invention was made. Applicant respectfully submits that a *prima facie* case of obviousness has not been made out by the Examiner because every critical element appearing in the claims is not disclosed by the cited references.

Claim 1 of the instant application discloses a vision enhancement system for use on a vehicle that has an exterior body portion. The vision enhancement system comprises a camera mounted to the vehicle behind the exterior body portion and a door moveably mounted in the body portion. The door is positioned in the camera's line of sight and is capable of being moved between a closed position and an open position. The system further comprises an actuator for selectively positioning the door in the open and closed positions, an exterior ambient light detector, and a controller coupled to the exterior ambient light detector, the camera, and the actuator for opening the door and activating the camera when the exterior ambient light detector detects that exterior ambient light has fallen below a predetermined threshold.

Claim 15 of the instant application discloses a night vision enhancement system for use on a vehicle that has a front grill. The night vision enhancement system comprises a night vision camera that is mounted behind the grill and that has a forwardly directed line of sight and a door having a decorative exterior pivotally coupled to the grill in the camera's line of sight. The door is capable of being moved between an open position and a closed position. A motor is coupled to the door for selectively positioning the door in the open and closed positions. The

night vision enhancement system further comprises a means for detecting exterior ambient light. A controller is coupled to the means for detecting exterior ambient light, the motor and the camera for energizing the motor and activating the camera when the means for detecting exterior ambient light detects that exterior ambient light has fallen below a predetermined threshold.

In contrast, Salvio does not disclose an exterior ambient light detector, or a means for detecting exterior ambient light, that detects when exterior ambient light has fallen below a predetermined threshold value. Nor does Salvio disclose a controller that opens the door and activates the camera when the exterior ambient light detector, or the means for detecting exterior ambient light, detects that exterior ambient light falls below a predetermined threshold.

Similarly, McNamara does not teach, suggest, or disclose an exterior ambient light detector, or a means for detecting exterior ambient light, that detects when exterior ambient light has fallen below a predetermined threshold value to turn the camera on. The Examiner asserts that McNamara discloses a light detector 24 for controlling a night vision camera based on exterior ambient light. However, the camera of McNamara must be operating for the luminance threshold detector 24 to operate. Thus, the luminance threshold detector 24 of McNamara is not equivalent or similar to the external ambient light detector of the present application. The luminance threshold detector 24 of McNamara controls a first analog switch 18 that opens or closes an automatic gain control (AGC) feedback loop of the operating camera. (Para. [0018]) Luminance threshold detector 24 also controls a second switch 32 that controls a camera iris of the operating camera. (Para. [0019]). Luminance threshold detector 24 does not detect exterior ambient light but, rather, detects the luminance of the extreme top portion of a video signal of the operating camera. (Para. [0021]) Accordingly, because the luminance threshold detector 24 is part of the camera and detects the luminance of the camera's video signal, the camera must be operating for the luminance threshold detector 24 to operate. Nowhere does McNamara disclose an exterior ambient light detector, or a means for detecting exterior ambient light, that is coupled to a controller that activates a camera when the exterior ambient light detector detects that the exterior ambient light has fallen below a predetermined threshold value.

Accordingly, neither Salvio, nor McNamara, nor a combination thereof discloses an exterior ambient light detector, or a means for detecting exterior ambient light, that is coupled

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to a controller that activates a camera when exterior ambient light falls below a predetermined threshold value. Thus, because neither Salvio nor McNamara discloses every critical element of claims 1 and 15 and, hence, claims 2-8, 10, 12-14 and 16-21 that depend therefrom, neither Salvio, nor McNamara, nor a combination thereof, renders claims 1-8, 10 and 12-21 obvious.

II. Conclusion

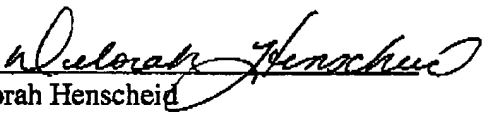
In conclusion, in view of Applicants' remarks, it is respectfully submitted that Claims 1-8, 10 and 12-21 are allowable and that Examiner's rejection under 35 USC § 103 has been overcome. Accordingly, Applicants respectfully submit that the application, as amended, is now in condition for allowance, and such allowance is therefore earnestly requested.

If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent abandonment on this application, please consider this a request for an extension for the required time period and/or authorization to charge Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

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